

**City of Nickerson
15 N. Nickerson
Nickerson, KS 67561**

**Regular City Council Meeting
Tuesday, September 07, 2010**

Mayor: Bill Golding

Council: Nick Neahring – President, Brian Rife, Marlene Smith, Skip Russell, Dale Brown, Brad Berridge

Employees Present: Shari Anderson, April Addis, Phyllis Richardson, Mark Gomes

Guests: Shawna Watkins, Amanda Stephenson, David Richardson, Teresa Rife, Kenny Burgess

Attorney: Mr. Henry was at the meeting.

The Pledge of Allegiance was recited.

Roll Call: Neahring, Russell, Rife, Brown, Smith, Berridge

Absent: None

The Regular City Council meeting was called to order by Mayor Golding at 7:00 p.m. on Tuesday September 07, 2010 at Nickerson City Hall

Approval of Agenda, Minutes & Payables

There was discussion on changes with the August 16th minutes. Motion made and seconded by Council Member Rife and Council Member Berridge to approve the August 16 Minutes with changes. Motion carried by the following vote: **YES:** Berridge, Smith, Brown, Rife, Russell, Neahring **NO:** None **ABSENT:** None

The following additions would be included in the agenda: (1) Condemnation & Lagoon (2) Executive Session (Personnel) 25 minutes. These additions would be under Old Business. Motion made and seconded by Council Member Russell and Council Member Neahring to approve the agenda with the additions. Motion carried by the following vote: **YES:** Brown, Rife, Russell, Berridge, Smith, Neahring **NO:** None **ABSENT:** None

The Council had a long discussion about two invoices for EBH. One was for \$21,150 and the other for \$5,228. The \$21,150 was put on hold from the last meeting. Mark Gomes, Maintenance Supervisor explained how to read this invoice. He said that the layout is typical for construction/engineering invoicing. The Council also had a problem with the \$5,228 invoice. The invoice was dated 07/27/2010, the services were for 6/27/2010 to 7/24/2010 and it said it was for Railroad Condemnation. Since the Council did not approve the condemnation until August, how could EBH charge the city before approval? Mark Gomes would look into this invoice and get back with the Council. Motion was made and seconded by Council Member Rife and Council Member Russell to approve the September 7th payables except the \$5,228 EBH invoice. Motion carried by the following vote: **YES:** Rife, Russell, Neahrng, Berridge **NO:** Brown, Smith **ABSENT:** None

The City Attorney, Randy Henry told the Council that he contacted Tad Dower and said that the landowners proposal for the easement for the lagoon project would be at their next meeting.

PUBLIC COMMENTS

Phyllis Richardson told the Council that whoever is put on the Recreation Commission that they should be a working commission and not just be on it.

Kenneth Burgess, Chairman of the Planning & Zoning Commission asked the Council to come to their next meeting, September 27th at 7 p.m. They would be discussing the city's comprehensive plan.

OLD BUSINESS

Mr. Henry informed the Council that there is a new owner for 100 South Nickerson Street. Michael Curran now owns this property. Mark Gomes, Maintenance Supervisor will make a list of what needs to be done and have an informal meeting with Mr. Curran. Mark would then put this on the agenda for a formal meeting and have a resolution.

The Council had a long discussion about the condemnation and lagoon project. Council Member Rife wants to rescind his motion for condemnation that occurred in August. Motion was made and seconded by Council Member Brown and Council Member Berridge not to proceed with condemnation. Motion carried by the following vote: **YES:** Rife, Brown, Smith, Berridge **NO:** Neahrng, Russell **ABSENT:** None

Council Member Neahring left the meeting.

Motion made and seconded by Council Member Berridge and Council Member Russell for and Executive Session for twenty-five minutes for personnel. Motion carried by a show of hands. 9:07 p.m.

Mayor Golding called the meeting back to order. 9:32 p.m.

NEW BUSINESS

Motion made and seconded by Council Member Russell and Council Member Rife to approve Ordinance 2010-05 STO & UPOC. Motion carried by the following vote: **YES:** Russell, Berridge, Smith, Brown, Rife **NO:** None **ABSENT:** Neahring

OFFICERS REPORT

Council Member Berridge asked questions to Chief about Council Member Brown's arrest. Chief Addis answered his questions.

He also has received a complaint about the police vehicle setting across from Dixie's Deli Bar & Grill.

Council Member Smith wanted to know if the city is spraying for mosquitoes. Mark Gomes, Maintenance Supervisor, informed the Council that the city had sprayed for mosquitoes.

Council Member Brown wants to rescind Mr. Henry's appointment as City Attorney. Motion was made and seconded by Council Member Brown and Council Member Berridge to rescind Mr. Henry's appointment as City Attorney. Motion carried by the following vote: **YES:** Smith, Berridge, Rife, Brown **NO:** Russell **ABSENT:** Neahring

Council Member Rife thanked Shari Anderson, City Clerk, for updating on the 1% Sales Tax report.

He informed the Council that Karyl White, EMS Director, has two new individuals that were certified and would be added to the EMS list for the city. Their names are Jake Daily and Leon Boyea.

He then talked about the dewatering. Mark Gomes, Maintenance Supervisor, talked about the dewatering and told the council that there were no projections of when the contractor would be working on sewer lines in the city.

Mayor Golding told the Council that in their packet was information about donating \$597 to the Reno County Growth Coalition. The Council did not want to donate to the Coalition.

He told the Council that the city received a letter from KDHE that the lagoon site had zero seepage.

He said that Stella Lambert would have a birthday on September 19th.

There being no further business, motion was made and seconded by Council Member Smith and Council Member Berridge to adjourn at 9:50 p.m. A motion was carried by a show of hands.

Unofficial